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CAPITOL NEWS

Believe it or not, the Iowa legislative session is now entering its final two weeks. With only 12 working days left, legislators have a lot to do.

Only a handful of the 12 budgets legislators must finalize before they end the session have been drafted (and only 2 have been debated). And there are still plenty of bills sitting on the list of bills ready for debate.

Look for long debates and late nights if legislators are going to be done before their last payday (April 22 is when it runs out). Senate Majority Leader Mike Gronstal predicts they will be able to adjourn early (around April 18).

Since legislators will be in debate a lot, now is a good time to tune in on your computers.

- Remember that you can listen to live floor debate at:
www.legis.state.ia.us/Audio/Audio.html.
- To see what legislators are doing at any given time during the day on the legislative website (its updated every few minutes):
www.legis.state.ia.us

Final Deadline Passes

The list of bills, while still long, is much shorter now after last week's "funnel" deadline. This is the last major deadline of the session. Bills that could not get passed out of the House or Senate, and then out of committee in the other chamber, are now dead. You can see a list of bills still alive, and a list of those that didn't make it, at the end of this newsletter.

If you see something you liked in that list of "dead" bills – make sure you tell your legislators. They can always try to amend other bills to take care of your issue. In the legislature, where there is a will, there is always a way. Don't be shy – never hesitate to ask your legislator for help!

Governor Signs Accessible Voting Bill

Governor Culver signed a bill this week that will spend \$4.6 million to make sure all areas of the state have "optical scan voting machines" that are accessible to all Iowans and maintain the paper trail needed to guarantee everyone's vote is counted, and counted correctly.

The Governor was joined by Secretary of State Michael Mauro, who initiated the bill.



Pictured from left behind Governor Culver: Sen. Jeff Danielson, Sen. Gene Fraise, Secretary of State Michael Mauro, Sen. Mike Connolly, Sen. Frank Wood, Sen. Bob Dvorsky, and Sen. Herman Quirmbach.

“Throughout my career, both as Secretary of State and now as Governor, I have worked hard to increase voting participation and strengthen voting integrity,” said Governor Culver. “Last year, I was proud to sign Iowa’s Same Day Voter Registration Law to expand access at the polls.”

The Governor went on to say, “However, greater access to the polls must coincide with complete confidence in election day practices and procedures, which is why I am proud to sign Senate File 2347 into law. This new law will give Iowans a verified paper record of the ballot they cast, and ensure Iowa voters have complete confidence in our voting process.”

The bill will place optical scan voting machines in Iowa’s 1,784 precincts before this November’s elections (when we vote for President!).

Another voting bill ([SF 2089](#)) allows people to request an absentee ballot on any 3” x 5” or larger sheet of paper or form (right now you must use the “official” form). That bill is on its way to the Governor and will become law when the Governor signs it.

Identity Thieves Beware!

This week, the House debated two bills that will improve consumer protections against identity theft.

The bills increase criminal penalties for public officials and government employees that

intentionally release personal information (SF 2308), prohibiting consumer reporting agencies from charging victims of identity theft for credit reports used to clear up the problem (HF 2277), and allowing consumers to freeze their credit information and not allow agencies to release it until things are cleared up (also HF 2277).

Rep. Doris Kelly (D-Black Hawk), who managed the bill on the House Floor, said, “*In 2007 alone, 127 million credit card holders were affected by security breaches and a victim of identity theft spends on average 174 hours and \$808 to correct the situation. I’m confident that the bills we approved today will help consumers protect their personal information and prevent identity theft.*”

These bills received strong bipartisan support.

Tobacco Tax Reduces Smoking

Legislators increased the state’s tobacco tax in an effort to reduce smoking. They also earmarked the money for health-related programs.

Legislators will have to come up with other ways to fund those programs this year, because since the tobacco tax increase was signed into law, Iowans have bought 2 billion fewer cigarettes (a 36% decrease in the number of cigarettes sold).

The bill to enact a statewide smoking ban (bound to put a dent in the remaining 3 billion cigarettes sold in Iowa) is still pending. Legislators have not come to an agreement on whether to ban smoking everywhere (Senate version), ban smoking everywhere except casinos (first House version) or ban smoking only in places that do not have a liquor license (second House version).

Of course, gambling establishments fund a major part of the state’s budget as well, and they predict a 20% decrease in revenues if a smoking ban including them is put in place.

A Nod to Napoleon Dynamite

For those of you breeding cat-lions, cat-cougars, and cat-tigers, the hybrid cat bill (HF 2383) was not brought up for a vote in the Senate and thus failed to make the last major deadline of the

session. So it appears that the products of cats bred with lions, tigers, cougars and other such animals will still be considered “wild and dangerous.”

“It’s pretty much my favorite animal. It’s like a lion & tiger mixed...bred for its magical powers.”
Napoleon Dynamite

No Horsing Around

In more animal news, a bill creating an “equine promotion commission” (SF 2131) was voted down on the Senate Floor. It is very rare for a bill to lose a vote in the Senate, as legislative leaders usually only bring up bills they know will pass.

Apparently the bill would have set up a commission for the state’s horse industry, making other groups raising animals in Iowa jealous. The bill lost on 23-26. (And in case you were wondering, it was not the hybrid cat breeders that shot it down.)

BUDGET NEWS

Despite a looming national recession, Iowa’s economy is looking good. The state got some good news today when new estimates were announced, predicting the state’s revenues will have double digit growth this year.

State officials today increased the state’s revenue outlook by \$127 million for the current and upcoming budget years. This means lawmakers will be less likely to cut money this year for programs dealing with such issues as the environment, education, and health care.

The change means the state will collect \$78.8 million more than expected (and more than spent) in the current fiscal year, and \$49.1 million more for the next fiscal year. In addition, the state has more money than ever before in its reserves (rainy day funds to be used in times of economic trouble).

- Personal income is up by 9.6%
- Sales tax collected is up 5.3%
- Corporate taxes are up 15.8%
- Other tax revenues are up 44.2%

The good news is just in time for one of the state’s biggest budgets - Health & Human Services!

Health/Human Services Budget Moves Forward

The Health/Human Services (HHS) Budget moved out of subcommittee this week on a nearly unanimous vote. The \$1 billion-plus budget funds most of the state’s social services programs, including Medicaid.

Despite funding most of their budget at current levels, lawmakers were quick to admit that there is simply never enough money to meet all of the unmet needs of kids, seniors, working families, and persons with disabilities.

The bill does not yet have a number, but it will start in the Senate. Here are some highlights of the bill:

- Maintains current levels of funding for:
 - PKU (\$100,000)
 - Brain injury resource facilitators (\$500,000)
 - Donated dental services to seniors and persons with disabilities (\$40,000)
 - Childhood lead poisoning (\$121,000)
 - MH/DD community services (\$4.9 million)
 - Olmstead pilot projects for community living (\$100,000)
 - Demonstration to Maintain Independence & Employment (DMIE, \$1.1 million)
 - State Supplementary Assistance (\$18.3 million)
 - Preparation for Adult Living (PAL, \$3 million)
 - Rent subsidies for persons that meet the nursing home level of care (\$700,000)
- Increases **Medicaid** by \$1.2 million, increases the number of children covered by Medicaid (\$2.8 million), and increases the number of children to be enrolled in hawk-i (\$2.2 million). Also increases Medicaid provider rates by 1%.
- Replaces lost federal funds to the state’s **Mental Health Institutes** (MHIs) - \$16.9 million more.
- Provides funding for **personal needs allowances** for persons living in intermediate care facilities for persons with mentally retardation or mental illness (ICF/MR; ICF/MI). This allows persons who do not have an income to have a \$50/month allowance to pay for personal needs – a total cost of \$129,355.
- Continues funding for one more year to **Daycare for Exceptional Children in Polk County**, a day care center specializing in care for children with disabilities (\$350,000).

- Increases **MH/MR/DD State Cases** funding by \$2 million to meet demand.
- Allocates \$8.1 million for **MH/MR/DD Allowed Growth** funding, the amount expected (3% growth). Counties with ending fund balances more than 10-15% and not levying the maximum will likely receive no state funds this year. The formula for distributing funds does not change significantly.
- Does not fund the MH/MR/DD Risk Pool, where counties go to access additional funds if they run into trouble mid-year.
- Allocates \$50,000 each for DHS' new pilot projects in **mental health crisis services** and **school based mental health assessments**. The programs need a combined \$9 million, but legislators opted for continued planning.
- Creates a “**County-State Shared Funding for Mental Health and Disability Services Covered by Medicaid**” interim task force to meet four times over the summer/fall to:
 - Review and estimate the shared impact of the state taking over payment for the non-federal share of Medicaid services to persons with mental retardation.
 - Develop an eight-year plan to shift that responsibility from the counties to the state.
 - Members are to include five Senators, five Representatives, member of the MH/MR/DD/BI Commission, three county supervisors, three county CPCs, a member of the Governor’s DD Council, a representative of a statewide advocacy organization, a consumer of county MH/MR/DD services, and five MH/MR/DD/BI service providers.
- Establishes a thirteen-member **Iowa Autism Council** to advise the state on ways to create a coordinated, comprehensive system to help children and adults with autism get the diagnostic, intervention, and support services they need. The majority of members are to be persons with autism or their family members, but also include specialists, residential service providers, medical professionals with expertise, teachers, and private insurers. State agencies will be non-voting members, and include the Governor’s DD Council.
- Includes language revising **Individual Development Accounts (IDAs)**, but do not provide funding for them at this point. IDAs are savings

plans available to low income individuals, including persons with disabilities, that can be used to increase opportunities for self sufficiency by allowing them to save money for qualifying purchases, such as paying for educational expenses, buying a home or starting a small business. Right now money in these accounts is tax-free, and they can be matched by the operating organizations (such as the credit unions participating). The organizations giving this match are given tax breaks for doing this. Changes include:

- Accounts may have only \$30,000 in them (lowered from \$50,000)
- Administration of the program is moved from DHS to the Division of Community Action Agencies in the Department of Human Rights
- Household income thresholds are to be determined by the Division with input from the Family Development & Self-Sufficiency (FADSS) Council
- Gives organizations providing a match a full tax break (100% instead of 15-25%)
- Changes the current state match limit from \$2,000 per year to \$2,000 total
- Requires the state to work with Iowa's federal delegation to get a federal tax break on the money organizations give as match as well

Finally, the Iowa State Association of Counties had lobbied hard to capture excess MH/MR/DD property tax funds that were generated when the Dwayne Arnold Nuclear Power Plant in Linn County was sold to a Florida company. The Senate unanimously passed a bill putting the money into the MH/MR/DD Risk Pool (SF 2023) – but it got caught up in the House where minority and majority party members could not agree on how the money should be distributed.

Unfortunately, the Health/Human Services budget subcommittee chose to take the money generated this year from that sale (\$624,000) and give it to Medicaid (not MH/MR/DD Allowed Growth or the Risk Pool).

The Senate Appropriations Committee plans to vote the bill out early in the week, making it eligible for floor debate mid-week or early in the week of April 14.

ISSUE UPDATES

Status of Health Reform, Psychiatric Drugs & Insurance Mandates

Health Care Reform - The Senate started debate on the Health Care Reform bill this week, but quickly tabled it to work on less time-consuming bills. They plan to debate the bill (HF 2539) on Monday.

The House and Senate do not agree on how to implement the reforms – so it may end up in conference committee where a select group of legislators will hammer out a compromise. And there is no funding yet allocated for all the reforms proposed.

Psychiatric Drugs – The Governor and Department of Human Services had proposed putting behavioral health medications on the “preferred drug list (PDL)” saving the state money by requiring people with mental illnesses to try cheaper drugs before getting access to more expensive drugs. Legislators heard from many of their constituents about this – and decided (at least so far) not to include the drugs on the PDL. The Health & Human Services Budget would have saved about \$1.7 million had legislators proposed this change. Mental health advocates did a good job explaining what this change would cost persons with mental illness in human terms.

Insurance Mandates – Legislation that would have required insurance plans to pay for the costs of mental illness, veteran’s mental illness, and prosthetics are dead and an industry-backed mandate commission is about to be sent to the Governor (HF 2650). Any legislation including a health insurance mandate would have to be reviewed and assessed by an independent State Insurance Mandates Commission before legislative action can happen. Several changes were made to help expedite the process to legislators can act on a bill in the same session.

There are several amendments to other bills that would require insurance companies pay for prosthetic devices, like the one offered by Sen. Olive (S-5232). Rep. Jamie Van Fossen (R-Scott) tried unsuccessfully to amend the prosthetic coverage mandate onto a bill, but it was ruled “not germane” (the legislative term for an amendment dealing with a different subject matter than the bill being amended). Expect to see other amendments like these and for mental health parity.

Finally, one mandate is currently getting some success. The Health & Human Services Budget

includes a requirement that health insurance pay for the costs of treating a child in a Psychiatric Medical Institution for Children (PMIC). PMIC care is largely state and federally funded because some insurance companies refuse to pay for costs they consider to be “custodial.” This mandate remains controversial, but would likely save state Medicaid funds (because insurance would pick up some of the cost initially).

Fight Over Epilepsy & Transplant Drugs

The Iowa Epilepsy Foundation and the Organ Donor Network are locked in a battle this year with pharmacists over the way anti-epileptic drugs and organ transplant drugs (immuno-suppressants) are prescribed.

Persons with epilepsy, other brain disorders, and brain injury are often prescribed drugs that help them manage their symptoms. These persons tend to be very sensitive to even the slightest change in the way these medicines are made. A small change in the dye used to make the drug can trigger unexpected seizures (and sometimes people undergo costly medical procedures like MRIs and CAT scans only to find out a medication switch was the cause).

The dispute involves a section of Iowa law that generally allows pharmacists to use a generic version of a prescribed drug instead of a pricier brand-name version or a different generic version.

The Health/Human Services Budget initially contained language that would have required pharmacists to get written consent from doctors and patients if they wanted to make such a switch in medications for epilepsy or immuno-suppressants. This language was taken out of the bill, but legislators continue to work on a solution.

According to the Iowa Epilepsy Foundation, access to the exact drugs that have been proven to work for a person is absolutely critical, whether those drugs are new or old, name brand or generic. Even switching between two versions of the same generic drug can cause unexpected seizures. If a pharmacist is allowed to substitute one drug for another, the person with epilepsy is placed at risk of seizures, ER visits, admission to hospital, seizure related injuries, and even death.

It is the American Academy of Neurology position that physicians should be able to prescribe the anti-epileptic drug (AED) that will work best for the person with

epilepsy without fighting barriers such as possible drug substitutions.

The way the law stands now, even if the physician states that s/he does not allow substitutions on the initial filling of the prescription, pharmacies can switch to a different formulation of the drug when the prescription is refilled. Nothing requires that the doctor approve that switch or even know about it.

The Iowa Pharmacy Association says that pharmacists around the state work hard to ensure patient safety and there have been no complaints made to the pharmacy board about these types of switches.

Legislators have mixed reactions to the change – some worry that the rule will hurt small town pharmacies because it would force them to stock multiple brands of the same generic drug.

- This is an important policy issue, and legislators want your input. If this is important to you or impacts someone you know, contact your legislators (particularly if you have experienced this).
- Legislators will be making a decision on this soon – so contact them as soon as possible if you want to have an impact on the policy decision. You can find out ways to contact your legislators in the next section of this newsletter.
- Talking points and other information on this have been posted to the *infoNET* website:
www.infonetiowa.com/current_issue/issues_and_policy_briefs.php.

Resolutions Calls Attention to Health Needs of Persons with Disabilities

Five House members introduced a resolution this week to urge the adoption of disability-friendly principles in Iowa's private and public health care systems. Rep. Wes Whitead (D-Woodbury), Rep. Ro Foege (D-Linn), Rep. Mark Smith (D-Marshall), and Rep. Polly Granzow (R-Hardin) introduced House Resolution 138.

While resolutions do not change law, they do allow legislators to state their support for policies that may not require law changes (instead they require changes in attitude that are difficult to legislate). HR 138 does the following:

- States that there is a higher population of working adults with disabilities that do not have health

insurance compared to the general population.

- Asks that the following principals be applied when considering health policies:
 - An individual is able to maintain stable health care insurance despite changes in employment
 - Health care coverage is affordable
 - Individual contributions for health insurance are based on the individual's ability to pay and the extent employers or the public contribute to coverage
 - Health coverage is made both physically and cognitively accessible for all Iowans and does not limit or exclude coverage for pre-existing conditions
 - Coverage is broad enough to cover range of benefits, including mental health treatment, preventive services, personal health items, and special equipment
 - Eligibility determination used for public programs does not prevent persons with disabilities to live in poverty or remain unemployed in order to receive health benefits
 - Transition between health coverage for children with disabilities and the coverage for adults with disabilities is coordinated in order to prevent gaps in coverage

TAKE ACTION!

Contacting Your Representative

To find the name of your Representative:

Look at your mailing label (your legislators names should be on it, unless it's a PO Box).

Enter your address here:

www.legis.state.ia.us/FindLeg/

You can call your Representative here during the week (Monday-Thursday):

(515) 281-3221

You can find your Representative's email at:

www.legis.state.ia.us/asp/Legislators/HouseEmail.aspx

You can write to your Representative here:

(Your Representative's Name)
Iowa House of Representatives
State Capitol
Des Moines, Iowa 50319

Contacting Your Senator

To find the name of your Senator:

Look at your mailing label (your legislators names should be on it, unless it's a PO Box).

Enter your address here:
www.legis.state.ia.us/FindLeg/

You can call your Senator here during the week (Monday-Thursday):

(515) 281-3371

You can find your Senator's email at:

www.legis.state.ia.us/asp/Legislators/SenateEmail.aspx

You can write to your Senator here:

(Your Senator's Name)
Iowa Senate
State Capitol
Des Moines, Iowa 50319

Contacting the Governor

You can call, write, or email Governor Culver here:

Call: (515) 281-5211

E-Mail:

www.governor.iowa.gov/administration/contact/

Write:

Governor Culver (or Lt. Governor Judge)
Office of the Governor & Lt. Governor
State Capitol
Des Moines, Iowa 50319

Public Forums

Legislators attend legislative forums that are open to the public on weekends, when they are back in their hometowns. These forums are excellent times to talk to your legislators and ask questions.

Here is a list of the upcoming forums (next two weeks). A complete list of these forums is online at: www.infonetiowa.com.

Saturday, April 12, 2008

8:00 a.m. - AUDUBON

Audubon Economic Development, 800 Market
Sen. Nancy Boettger

8:00 a.m. - CORYDON

Farm Bureau Office, 212 S. Franklin Street
Sen. Keith Kreiman & Rep. Kurt Swaim

8:00 a.m. - CRESTON

Congregate Meal Site, Restored Depot
Sen. Jeff Angelo, Rep. Mike Reasoner & Rep. Cecil Dolecheck

8:00 a.m. - IRETON

Ireton Coffee Shop
Rep. Chuck Soderberg & Sen. Dave Mulder

8:30 a.m. - OSKALOOSA

Smokey Row, 109 S. Market
Rep. Eric Palmer, Rep. Andrew Wenthe & Sen. Tom Rielly

8:30 a.m. - REMSEN

Remsen Union School, Roosevelt Avenue
Sen. Ron Wieck

9:00-10:30 – COUNCIL BLUFFS

Council Bluffs Public Library, 400 Willow Avenue
Pottawattamie County Area Legislators

9:00 a.m. – CLINTON

Clinton Chamber of Commerce, 2nd Street
Sen. Roger Stewart, Sen. Frank Wood, Rep. Polly Bukta & Others

9:00 a.m. - HAWARDEN

Hawarden City Hall, 1150 Central Avenue
Rep. Chuck Soderberg & Sen. Dave Mulder

9:00 a.m. - NEWTON

HyVee Club Room, 1st Avenue East
Sen. Dennis Black & Others

10:00 a.m. - CARROLL

Time & Place TBD
Sen. Steve Kettering & Rep. Rod Roberts

10:00 a.m. – CENTERVILLE

Continental Senior Living Center, 19999 Saint Joseph
Sen. Keith Kreiman & Rep. Kurt Swaim

10:00 a.m. - HARLAN

Harlan Community Library, 718 Court Street
Sen. Nancy Boettger & Others

10:00 a.m. - MARCUS

Pizza Ranch, 109 N. Main
Sen. Ron Wieck

10:30 a.m. - AKRON

Akron Public Library, 350 Reed Street
Rep. Chuck Soderberg & Sen. Dave Mulder

10:30 a.m. - Noon – MOUNT VERNON

Mount Vernon City Hall, 103 Country Club Drive
Sen. Bob Dvorsky & Rep. Ro Foege

11:30 a.m. - DEWITT

DeWitt Community Center, 916 10th Street
Sen. Roger Stewart, Sen. Frank Wood & Others

Noon - BLOOMFIELD

Rancho Centinela, 102 S. Madison Street
Sen. Keith Kreiman & Rep. Kurt Swaim

Saturday, April 19, 2008

ALL DAY – Statewide Republican District Conventions *Republican legislators may not attend forums on this day - so call ahead to make sure.*

8:00 a.m. – WEBSTER CITY

City Council Chambers, 400 Second Street
Sen. Rich Olive & Rep. McKinley Bailey

8:30 a.m. - AMES

Ames City Hall, 515 Clark Avenue
Story County Area Legislators

9:00 a.m. - WAUKEE

Waukee City Hall, 230 Highway 6
Sen. Jerry Behn & Rep. Ralph Watts

9:30 a.m. - CLERMONT

Clermont Public Library, 503 Larrabee
Sen. Bill Heckroth

9:30 a.m. - OELWEIN

Luigi's Restaurant, 1020 Frederick Avenue
Sen. Bill Heckroth

10:00 a.m. - AIGONA

Algona High School Little Theatre
Sen. Jack Kibbie & Rep. Marcella Frevert

10:00 a.m. - GRIMES

Grimes Public Library, 200 North James Street
Sen. Larry Noble & Rep. Walt Tomenga

10:00 a.m. – SIOUX CITY

Wilbur Aarlf's Public Library, 529 Pierce
Woodbury County Legislators

10:00 a.m. – Noon – WASHINGTON

Courthouse, 222 West Main
Sen. Becky Schmitz

10:30 a.m. - 12:30 p.m. - URBANDALE

Urbandale Public Library, 3520 86th Street
Sen. Brad Zaun & Rep. Scott Raecker

10:30 a.m. – 11:45 a.m. – CEDAR RAPIDS

Mercy Medical Center, 701 10th Street SE
Linn County Legislators

Time TBA - HUMBOLDT

Site TBA
Sen. Jack Kibbie (call 515-281-3371)

Bills Signed Into Law

SF 2054 - MH/MR/DD Funding (Late-Filing Counties) - Counties are required by law to report on how they spent their MH/MR/DD funds by December 1 each year. This bill allows a county (Clayton County) that filed their reports by March 15, 2008 to still be eligible for MH/MR/DD allowed growth. *Effective 2/4/2008.*

SF 2101 - Entrepreneurs with Disabilities Program Transfer - Moves the Entrepreneurs with Disabilities Program from the Iowa Finance Authority to the Iowa Department of Education. Two years ago it was moved from the Department of Economic Development to the Iowa Finance Authority. This program helps people with disabilities start, maintain, and expand their own business. *Effective 7/1/2008.*

SF 2111 - Lead Blood Testing/Dental Screening Requirements - Last year, the Legislature required all parents have their children screened for lead poisoning and been seen by a dentist before enrolling in school. Lead poisoning can result in mental retardation and developmental delays and poor dental care can lead to serious health problems. This bill cleans up this requirement and allows children to be enrolled in school even if requirements are not met. Also requires schools to give the parents information about dental screening and lead screening resources in the community, including the free I-SMILE dental screening program. *Effective 7/1/2008.*

SF 2154 - Vertical Wheelchair Lift Definition - Updates the definition of "inclined or vertical wheelchair lift" to reflect the current American Society of Mechanical Engineers safety standards. Requires operating permits to be posted near these lifts. *Effective 7/1/2008.*

SF 2292 - Civil Rights Filing Deadline - Extends the time period for filing complaints with the Iowa Civil Rights Commission from 180 to 300 days. *Effective 7/1/2008.*

SF 2347 - Optical Scan Voting - Requires counties use accessible voting systems that are proven as reliable and have a paper record (optical scan voting systems that use electronic ballot marking devices that are ADA compatible). Gives counties \$4.9 million to help pay for these systems. Requires election personnel be trained on current laws and procedures in voting (continuing education program). Applies to elections starting November 4, 2008. *Effective 4/1/2008.*

Bills Sent to Governor

HF 2393 - Minority Impact Statements - Requires all applications for state grants to include a minority impact statement (written by the applicants) describing the proposal's unique impact on minority persons, reason for the proposal if there is an impact and evidence the applicant has consulted with representatives of the

minority persons if there is an impact. Also requires that correctional impact statements on bills include information on the specific impact on minorities. Persons with disabilities are included in the definition of "minority." Effective for grant applications beginning 1/1/2009.

HF 2407 - Accessible Parking Registration Fee - Currently, there is a \$60 annual registration fee for multi-purpose vehicles modified for persons with disabilities or used by persons in wheelchairs. This bill makes it apply to any vehicle or station wagon, not just multi-purpose vehicles (trucks, motor homes, ambulances, hearses, motorcycles, motorized bicycles are still not included).

HF 2423 - County MH/MR/DD Risk Pool - Changes the date for counties to apply for risk pool funds from January 25 to October 31, and requires the Risk Pool Board make its decisions by December 15 (instead of February 25). Requires payment to counties be by January 1, instead of June 30. These changes help struggling counties get their money faster - which may help avoid cuts in services to people with disabilities.

HF 2591 - Dependent Adult Abuse - Expands protections for dependent adults and older Iowans who live in assisted living facilities, nursing homes and other care facilities, or are served by various supported community living programs. Requires the departments involved to communicate to each other to make sure things don't fall through the cracks. Expands the definitions of dependent adult abuse to include things like exploitation (including financial exploitation). Also gives some caretakers protections for accidental incidents that occur only once or twice in a five-year period (giving DHS the opportunity to determine if the injuries would be likely to reoccur, minor and/or isolated). Also requires police officers responding to domestic abuse calls be prepared to inform the dependent adult of their rights, services available to help them, and make reasonable efforts to prevent any further abuse (like remaining on the scene until the dependent adult is safe). Requires abuse investigators get special training.

SF 2089 - Absentee Ballot Applications - If this bill passes, people will be able to request an absentee ballot on any sheet of paper or on any form (right now you must use the "official" form).

SF 2177 - Department of Public Health Program Revisions - Makes the brain injury diagnosis used for the Department of Public Health cost-share program the same as that for the Medicaid waiver for persons with brain injury.

SF 2230 - Special Hunting Licenses/Persons with Disabilities & Terminally Ill - Allows the Natural Resources Commission to issue special nonresident turkey and deer hunting licenses to persons with a severe physical disability or a person who is terminally ill. Requires a physician to sign the application, and still requires the person to pay the license fee.

House Bills

HF 2539 - Health Care Reform - Declares the legislature's intent to make health care more affordable for families and fill gaps in coverage with expanded programs, starting with children in 2010. This very long bill does this by directing the department to use information technology to develop a system that allows patients to have a portable electronic health record (one that goes with you to any doctor you wish to see), lays the groundwork to requiring children receiving Medicaid benefits have a medical and dental home by the end of 2010 (the Governor's DD Council has a seat at the Medical Home Advisory Council). The bill also requires all health insurance plans to cover a person's unmarried dependent children until the age of 25 (or as long as they remain a student). Prohibits insurance companies from excluding pre-existing conditions. Directs Department of Public Health to develop a chronic care management system to help people manage their chronic conditions, like diabetes or heart disease. Also directs the Department of Human Services to implement the Family Opportunity Act when sufficient funding is available and report on progress made on this. Finally, the bill also requires the Department of Public Health to establish a competitive grant program to energize local communities to encourage people to live healthier lifestyles and behaviors. Requires the Department of Public Health to consult with health care professionals whose scope of practice includes end of life care to develop educational and patient-centered information on end of life care for terminally ill patients ("end of life care" is defined as care meeting the physical, psychological, social, spiritual, and practical needs of the terminally ill and their caregivers"). Requires the Insurance Commissioner to help small businesses (those with less than 25 employees) offer health care savings accounts to their employees. Requires the Department of Public Health to develop a plan to provide a tax credit to small businesses that provide qualified wellness programs to improve the health of their employees. Requires hospitals annually report on various quality measures, so that the public can see things like rates of infections, etc. Also requires manufacturers of durable medical equipment and supplies to give the Department of Human Services a price list annually to be used by consumers to compare prices with the rates paid by Medicaid. *Status: Senate Floor; Floor Manager/Subcommittee: Sen. Hatch (Floor Manager)*

SENATE COMMITTEE AMENDMENT TO HF 2539:
Blends the components of all three health care reform plans (Governor, Senate & House) into a single bill. Complete summary online at: www.infonetiowa.com/current_issue/active_bills.php.

HF 2555 - Insurance Commissioner Bill - Makes a number of technical and policy changes to the work of the Insurance Commissioner, including the creation of an Insurance Consumer Advocate with the responsibility to ensure consumers receive fair treatment from the insurance industry and that unfair/deceptive practices are

prevented. Requires annual reporting and makes information submitted confidential. *Status: House Floor Second Time; Floor Manager/Subcommittee: Rep. Hoffman (Floor Manager)*

HF 2579 - Individual Development Accounts - Individual Development Accounts are savings plans available to low income individuals, including persons with disabilities, to increase opportunities for self sufficiency by allowing them to save money for qualifying purchases, such as paying for educational expenses, buying a home or starting a small business. Right now money in these accounts is tax-free, and they can be matched by the operating organizations (such as the credit unions participating). The organizations giving this match are given tax breaks for doing this. This bill makes a number of changes to these accounts - accounts may have only \$30,000 in them (lowered from \$50,000), administration of the program is moved from DHS to the Division of Community Action Agencies in the Department of Human Rights, and household income thresholds are to be determined by the Division with input from the Family Development & Self-Sufficiency (FADSS) Council. Also requires the Division to send out an RFP to select operating organizations, and gives organizations providing a match a full tax break (100% instead of 15-25%). Changes the current state match limit from \$2,000 per year to \$2,000 total. Requires the Division to work with Iowa's federal delegation to get a federal tax break on the money organizations give as match as well. Effective upon enactment. *Status: House Appropriations Committee; Floor Manager/Subcommittee: Rep. Foege (Chair), Gayman & Heaton*

HF 2587 & SF 2265 Children/Youth Mental Health Services System - Requires DHS to create a mental health services system for children (0-18 years old) and youth (18-22 years old who met the criteria for "serious emotional disturbance" before they turned 18). Defines what is a "qualifying mental health disorder." The purpose of this new system of care is to improve access for children and youth with serious emotional disturbances and youth with other qualifying mental health disorders to mental health treatment, services, and other support in the least restrictive setting possible so the children and youth can live with their families and remain in their communities. Makes DHS the lead agency for the new system. Uses competitive block grants through existing community mental health centers and other local service providers to assist in the creation of this network. Directs DHS to analyze options for leveraging additional Medicaid options, and engaging local school, child welfare, juvenile justice, mental health, and health care professionals. Certain services, such as school-based mental health services and the development of mental health assessment capacity based in public schools and clinical settings, are required to be supported through the block grants. The services supported may also include other services such as mobile crisis intervention services and prevention-oriented services. Requires regular reports to the MH/MR/DD/BI Commission. *Status: House Appropriations Committee/Senate Appropriations Committee; Floor*

Manager/Subcommittee: Rep. Foege (Chair), Gayman & Heaton; Sen. Bolkcom (Chair), Dvorsky, Ragan, Johnson & Seymour

HF 2620 - Elections/Voter Registration - Requires all polling places be accessible to persons with disabilities and requires all polling places have voting equipment for use by voters with disabilities in counties where paper ballots are not used. Prohibits the use of cell phones, cameras, pagers, and other electronic communications while voting. *Status: Senate Floor; Sen. Appel (Floor Manager)*

HF 2634 - Non-Smoking Business Tax Credit - This bill allows a business a property tax credit of up to \$500 for voluntarily banning smoking at its workplace. The credit ceases or is not available upon enactment of state or local law that prohibits smoking in the workplace. *Status: House Ways & Means Committee; Floor Manager/Subcommittee: Not yet assigned*

HF 2643 - Small Business Linked Investments Program - The bill changes the allocation of available moneys invested in the small business linked investments program. Currently, half of the moneys are available to business owners who are women, minority persons, or persons with disabilities. The bill changes the allocation of moneys available to women, minority persons, or persons with disabilities to 40 percent and allocates 10 percent to veterans. The bill also changes the net worth requirement for the program. Currently, in order to qualify for assistance, the combined net worth of all owners of a business or borrowers under the program cannot exceed \$750,000. The bill raises the limit on combined net worth to \$1 million. *Status: House Appropriations Committee; Floor Manager/Subcommittee: Not yet assigned*

HF 2650 - Health Insurance Mandates Commission - Creates a State Health Insurance Mandates Commission that will look at any bill that requires insurance plans to cover a service or illness, and evaluate its fiscal impact and its societal impact. A legislative committee is not allowed to pass any mandate bill until the commission finishes its work (which can take up to 45 days). Bills referred to this commission would be funnel-proof (meaning they do not have to meet deadlines during session and will be alive for the entire session). In addition, any current legislation including a health insurance mandate would be immediately sent to the commission at the close of session for consideration (so there are recommendations immediately when session begins in 2009). Health insurance mandates before the legislature this year include mental health parity (requiring health insurance plans to pay for the costs of any mental illness or substance abuse treatment), prosthetic mandate (requiring insurance plans pay for prosthetics), and HPV (requiring insurance plans pay for human papilloma virus - HPV - vaccinations which prevent cervical cancer). *Status: Senate Floor; Floor Manager/Subcommittee: Sen. Rielly (Floor Manager)*

HF 2657 - Medical Device Exemption - Expands the sales tax exemption on medical equipment bought or used by a person with a disability to include equipment and accessories on a motor vehicle, ambulatory aids, manual and powered wheelchairs, stairway lifts, scooters, and durable medical equipment including home respiratory equipment and accessories, hospital beds and accessories, Braille writers, electronic Braille equipment, reading machines, electronic print enlargers and magnifiers, and electronic alternative and augmentative communication devices. *Status: House Ways & Means Committee; Floor Manager/Subcommittee: Rep. Shomshor (Chair), Reasoner & Sands*

HF 2660 & SSB 3270 Justice Systems Budget - This budget funds Iowa's correctional system, as well as public safety programs and homeland security. It also gives money to pay for legal services to persons in poverty (\$2 million), the Office of the Consumer Advocate (\$3.1 million) who helps provide consumer protection services, and the Civil Rights Commission (\$1.5 million) which gives people whose civil rights have been violated a place to be heard. All of these spending levels are the same as last year - no increase, but no decrease either. *Status: House Floor/Senate Appropriations Committee; Floor Manager/Subcommittee: Rep. T. Taylor (Floor Manager); Sen. Hancock (Chair), Dvorsky, Fraise, Angelo & Kettering*

HF 2664 - Medicaid Provider Increase/ICF & RCF - Increases state reimbursement to providers of services to persons with mental retardation and developmental disabilities. Increases reimbursements to intermediate care facilities for mental retardation (ICF/MR) by 4.1% and reimbursements for residential care facilities for mental retardation (RCF & RCF/MR) by 3%. Appropriates \$1,846,000 to pay for this increase. Legislators have been proposing this as a way to increase local capacity for community-based care (which is needed before any discussions about closing institutions can progress). *Status: House Appropriations Committee; Floor Manager/Subcommittee: Not yet assigned*

Senate Bills

SF 2023 - Utility Replacement Tax/Mental Health Risk Pool - The recent sale of the Dwayne Arnold Power Plant in Palo to a Florida company triggered a utility tax payment in the amount of \$600,000 this year (expected to double next year). Because of the way Iowa's law is written, these funds would have been used to give additional mental health property tax reductions (which does not add to the overall pot of money for services). Instead, this bill places these new funds into the MH/MR/DD Risk Pool, to help counties that have needs beyond what their local property taxes and state allowed growth permit. Counties may apply to this risk pool to avoid cuts to services or reduce waiting lists. *Status: House Floor; Floor Manager/Subcommittee: Rep. Foege (Floor Manager)*

SF 2161 - Homelessness Council - Creates a 38-member council on homelessness, 26 of which shall be

members of the general public appointed by the governor. The council is required to make annual recommendations to the governor regarding matters which impact homelessness, prepare and file with the governor and the general assembly a report on homelessness in Iowa, and assist in the completion of the state's continuum of care application to the United States department of housing and urban development. *Status: Senate Floor Second Time; Floor Manager/Subcommittee: Sen. Ragan (Floor Manager) Amendment: HOUSE AMENDMENT: Requires a study of issues relating to low-income seniors and low-income persons with disabilities, including lack of affordable and dependable transportation and housing near work. The study is also to review issues related to low-income persons at risk of becoming homeless and the availability of affordable rental housing and access to financing for low-income homebuyers.*

SF 2163 - Emergency Mental Health Crisis Services System

The intent of this bill is to create a statewide system to respond to persons with mental illness that are in crisis 24 hours a day, 7 days a week. The program will start off as a pilot project, with ten sites (depending on funds available, \$3 million needed to fund the ten sites). Community mental health centers (or providers identified by the county as providing services instead of a community mental health center), a county or city, or any other public/private provider who is approved by the Department of Human Services may apply for grants. The services system must at a minimum: be regional (serve more than one county); coordinate with other providers in the area, the county central point of coordination (CPC), community-based corrections, the courts, and law enforcement; include basic services such as face-to-face crisis intervention, stabilization, support, counseling, preadmission screening for persons requiring psychiatric hospitalization, transportation, and follow-up services; and include telephone hotlines, mobile crisis staff, collaboration protocols, follow-up with community services, information systems, and competency-based training. **FISCAL IMPACT:** \$6 million request for up to 10 state block grants of \$600,000 each. *Status: Senate Appropriations Committee; Floor Manager/Subcommittee: Sen. Bolkcom (Chair), Dvorsky, Hatch, Johnson & Seymour*

SF 2259 - ICF/MR & ICF/MI Employee Tuition Assistance

Establishes a pilot tuition assistance program at North Iowa Area Community College for students who are Iowa residents and work at an Intermediate Care Facility for Mental Illness or Mental Retardation. *Status: Senate Appropriations Committee; Floor Manager/Subcommittee: Sen. Dvorsky (Chair) & Kettering*

SF 2279 - Healthy Kids Act - Requires school meals and food/drinks sold at school be healthy, requires every physically able child be physically active for 30 minutes every school day for Kindergarten to Grade 6 (120 minutes each week for Grades 6-12), and requires all students complete a course in CPR before graduating. Requires licensed dietitians in the schools to support the inclusion

of these guidelines in the individual education plans for children requiring special education. Effective 7/1/2009. Fiscal Impact: Annual costs to Area Education Agencies is between \$34,000 - \$244,000. *Status: House Floor; Floor Manager/Subcommittee: Rep. Staed (Floor Manager)*

SF 2286 - Federal Block Grant Bill - Spends federal funds coming to the state for various purposes. Includes \$3,631,173 to community mental health centers and \$7,609,836 for MH/MR/DD/BI community service (local purchase of service). *Status: House Floor; Floor Manager/Subcommittee: Rep. Gayman (Floor Manager)*

SF 2306 - Long Term Health Insurance - Establishes a Consumer Advocate Bureau in the Insurance Commissioner's Office to make sure people are treated fairly by insurance companies. Adds \$60,000 for a Senior Health Insurance Information Program to disseminate educational information and raise public awareness on insurance product choices designed to meet the needs of older Iowans. Includes new definitions and requirements for long-term care policies. The two study bills are the same, but do not include the establishment of a Consumer Advocate Bureau. *Status: House Appropriations Committee; Floor Manager/Subcommittee: Not yet assigned*

SF 2334 & HF 2604 Medicaid Recovery from Insurance

Medicaid is the "payer of last resort," which means it will only pay for services if the person has no other way to pay for it. If a person has insurance, but the insurance company refuses to pay for the service because the person qualifies for Medicaid, Medicaid is required by Federal law to bill that insurance company. This bill enforces this law, and requires insurance companies to give Medicaid a list of the people they insure. This list will be used to determine if a person has some other way to pay for services (the person will continue to receive services, the only difference is that DHS will go after the insurance company to recover the costs of providing those services). Requires Medicaid to present claims within three years of service, or within six years of the state bringing suit. *Status: House Floor/House Floor; Floor Manager/Subcommittee: Rep. Abdul-Samad (Floor Manager)*

SF 2370 - Health Care Workforce - Getting mental health and health care in rural areas of the state can be difficult because there are simply not enough providers in some areas of the state. This bill is trying to address this shortage by encouraging people to practice in rural and underserved areas of the state by creating a loan forgiveness program, a psychiatrist residency program, tax credits for shortage professions, and increased use of telemedicine. Also requires 65% of any increased nursing home reimbursement go to direct care workers. Establishes a Direct Care Worker Advisory Council to recommend ways to credential direct care workers (recommendations due 11/30/2008). Establishes a new pilot program to give tuition assistance to people who are working in facilities that serve persons with disabilities.

Tuitions can be used at a local community college while they are working in the facility. *Status: Senate Appropriations Committee; Floor Manager/Subcommittee: Sen. Dotzler (Chair), Hatch & Seymour*

SF 2384 - Child Welfare Services Provider

Reimbursements - Increases the reimbursement for child welfare service providers annually at the same percentage rate as the school allowed growth rate. Includes shelter, remedial services, HCBS children's mental health waiver, and court-ordered services (under chapter 232). *Status: Senate Appropriations Committee; Floor Manager/Subcommittee: Sen. Dvorsky (Chair) & Kettering*

SF 2394 - Transportation Budget - To change in spending for transportation in next year's budget (which begins July 1, 2008), including the same level of spending on ADA improvements (\$120,000). *Status: House Floor; Floor Manager/Subcommittee: Rep. Cohoon (Floor Manager)*

SF 2400 - Administration & Regulation Budget - Keeps funding the same for the next fiscal year (which begins on July 1, 2008) for the Department of Human Rights' Deaf Services Division (\$413,700) and Persons with Disabilities Division (\$206,221). *Status: House Floor; Floor Manager/Subcommittee: Rep. Hunter (Floor Manager)*

SF 2409 - Voluntary/Free Income Tax Assistance

Programs - Requires DHS to provide information about federal and state earned income tax credits to people receiving state assistance (hawk-i, Medicaid, family assistance program, food stamps, etc.). Requires services for volunteer/free income tax assistance programs be marketed to low income persons. The earned income credit (EITC) is a tax credit for certain people who work and have low wages. A tax credit usually means more money in your pocket because it will either reduce the amount of tax you owe or mean you get a refund from the government. It is available to low-income working families and individuals, and many people filing their own taxes do not know about it. *Status: House Ways & Means Committee; Floor Manager/Subcommittee: Not yet assigned*

SSB 3295 - Healthy Iowans Tobacco Trust

Appropriations - Allocates money generated from Iowa's tobacco settlement (when states sued tobacco companies). No change in the spending levels from last year - State Supplementary Assistance (SSA) (\$182,381); tobacco use prevention (\$5.9 million); substance abuse treatment (\$13.8 million); substance abuse prevention for children (\$1.05 million); childhood lead poisoning prevention program (\$78,388); phenylketonuria (PKU) assistance to help parents pay for the costs of necessary special foods (\$100,000); MH/MR/DD Allowed Growth (\$146,750); and epilepsy association funding (\$100,000). Reaffirms that tobacco receipts are intended to be spent on health programs only, but eliminates the tobacco trust account as a separate pot of money and puts all tobacco settlement proceeds in the general fund beginning July 1,

2009. *Status: Senate Appropriations Committee; Floor Manager/Subcommittee: Sen. Bolkom (Chair), Dvorsky, Hancock, Johnson & Seymour*

Resolutions

HR 10 - Lead Paint Interim - Asks for a study committee over the summer to look at how to fund the removal of lead paint from homes. Lead paint is very toxic to children and is a preventable cause of behavioral and developmental disabilities and mental retardation. Children under the age of six are most at risk. Legislators would study the problem over the summer and fall, and make recommendations to be considered in the 2009 legislative session. *Status: House Floor; Subcommittee/Floor Manager: Rep. Ford (Floor Manager)*

HR 118 - Mental Health Advocates - Asks the Legislature to study Iowa's system for mental health patient advocates appointed by the courts and paid for by the county of legal settlement. *Status: House Floor; Subcommittee/Floor Manager: Rep. Hunter (Floor Manager)*

HR 119 - Insurance Consumer Protection Resolution - Tells Congress that the Iowa Legislature is against any federal legislation that would limit the state's ability to regulate the insurance industry, as currently proposed in federal bills S.40 and [H.R. 3200](#). Says states are better at protecting their people from insurance fraud. *Status: Adopted*

HR 138 - Disability-Friendly Health Care Coverage - Asks the Governor, legislators, and businesses to make sure all health care reforms and the state's health care system be disability-friendly. States that there is a higher population of working adults with disabilities that do not have health insurance compared to the general population. Asks that the following principals be applied when considering health policies: 1) an individual is able to maintain stable health care insurance despite changes in employment; 2) health care coverage is affordable; 3) individual contributions for health insurance are based on the individual's ability to pay and the extent employers or the public contribute to coverage; 4) health coverage is made both physically and cognitively accessible for all Iowans and does not limit or exclude coverage for pre-existing conditions; 5) coverage is broad enough to cover range of benefits, including mental health treatment, preventive services, personal health items, and special equipment; 6) eligibility determination used for public programs does not prevent persons with disabilities to live in poverty or remain unemployed in order to receive health benefits; 7) transition between health coverage for children with disabilities and the coverage for adults with disabilities is coordinated in order to prevent gaps in coverage. *Status: House Floor; Floor Manager/Subcommittee: Rep. Whitehead (Floor Manager)*

HR 144 - Special Olympics Global Messenger Honored - Honors Tyler Joseph Steinke for becoming the youngest Global Messenger for Special Olympics Iowa (at the age of

10). Global messengers are athletes who help spread the message and vision of the Special Olympics, and talk about the benefits of participating in the event. *Status: House Floor; Floor Manager/Subcommittee: Rep. Murphy (Floor Manager)*

SCR 103 - Full Funding of Federal Budget - Urges Congress to adopt a budget that meets the needs of Iowa's children and families, restores funding for human needs, and avoids shifting the responsibility for funding of necessary human needs from the federal to state government. *Status: Senate Floor; Sen. Bolkcom (Floor Manager)*

SR 101 & HR 103 Employment of Persons with Disabilities - States that it is a priority of the Legislature to make sure there is a stable and quality direct-support workforce for individuals with disabilities. This resolutions makes the following statements: There are more than 115,000 Iowans with developmental disabilities, many of whom depend on the support of their families, communities, providers, and caregivers. Turn-over rates of direct-support workers are 40-75% and high job vacancy rates make it difficult for providers to ensure quality care. Iowans with disabilities that wish to work and live in their own homes, in their own communities, need a reliable and quality support system. *Status: Senate & House Floors; Sen. Ragan & Rep. Kuhn (Floor Managers)*

Dead Bills

A complete list of bills that can no longer be debated this year can be found at:
www.infonetiowa.com/current_issue/dead_bills.php

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Find more resources online at www.infonetiowa.org.

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